IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1898 OF 2002 A/W CA ST No.14435/02
IN
WRIT PETITION NO.1511 OF 1995

Krishna Gopal Surve & ors. .. Applicants
Vs
1. Spl. Land Acquisition officer..
and ors. .. Respondents.

Mr M.D.Pokale, for the applicants.
Mrs S.S.Bhende, AGP for respondent nos 1 and 2.
Mr M.R.Suryavanshi, for respondent no.3.

CORAM : B.H.MARLAPALLE & D.B.BHOSALE,JJ.
DATE : APRIL 19, 2006.
PC:

1. Heard the learned counsel for the applicants and the respondents as well.

2. Writ Petition No.1511 of 1995 came to be decided by this Court on 7.11.1998 and the challenge to the acquisition proceedings was turned down. The applicants, who are the legal representatives of the original petitioner, filed a review application under Stamp No.38468 of 2001 along with an application for condonation of delay. The office objections could not be removed in time and, therefore, this application has been filed for restoration of the review petition by setting aside the order passed by the Registrar on 11.3.2002.

3. We have noted that Writ Petition No.1511 of 1995 was dismissed in default on 30.3.1995 and on its restoration it was admitted on 13.7.1995 by granting

interim relief in terms of prayer clause (c). It came to be dismissed on merits on 7.11.1998. We do not see any reason to entertain this application at this stage for restoring the review petition which was dismissed in default. Hence, the application is rejected.

(D.B.BHOSALE, J.) **(B.H.MARLAPALLE,J.)**